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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  
FRESNO DIVISION

HARMONY DELAIN FRANCES FINLEY,	)	CIVIL NO. 1:20-cv-01754-GSA
Plaintiff,	)	
v.	)	<b>STIPULATION TO VOLUNTARY</b>
	)	<b>REMAND PURSUANT TO SENTENCE</b>
KILOLO KIJAKAZI <sup>1</sup> ,	)	<b>FOUR OF 42 U.S.C. § 405(g) AND TO</b>
Acting Commissioner of Social Security,	)	<b>ENTRY OF JUDGMENT; ORDER</b>
Defendant.	)	

IT IS HEREBY STIPULATED by and between the parties, through their undersigned attorneys, and with the approval of the Court, that this action be remanded for further administrative action pursuant to the Social Security Act § 205(g), as amended, 42 U.S.C. § 405(g), sentence four. On remand, the Appeals Council will remand the case to an

<sup>1</sup> Kilolo Kijakazi became the Acting Commissioner of Social Security on July 9, 2021. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Kilolo Kijakazi should be substituted, therefore, for Andrew Saul as the defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

1 administrative law judge for a new decision.

2 The parties further request that the Court direct the Clerk of the Court to enter a final  
3 judgment in favor of Plaintiff, and against Defendant, reversing the final decision of the  
4 Commissioner.

5  
6 Dated: July 29, 2021

/s/ Francesco P. Benavides\*  
FRANCESCO P. BENAVIDES  
Attorney for Plaintiff  
\*Authorized via e-mail on July 29, 2021

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12 By: /s/ Ellinor R. Coder  
13 ELLINOR R. CODER  
14 Special Assistant United States Attorney  
15 Attorneys for Defendant  
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**ORDER**

19 Based upon the parties' Stipulation to Voluntary Remand Pursuant to Sentence Four of  
20 42 U.S.C. § 405(g) and to Entry of Judgment, and for cause shown, IT IS ORDERED that the  
21 above-captioned action is remanded to the Commissioner of Social Security for further  
22 proceedings pursuant to the Social Security Act § 205(g), as amended, 42 U.S.C. § 405(g),  
23 sentence four. On remand, the Appeals Council will remand the case to an administrative law  
24 judge for a new decision in accordance with the parties' Stipulation.

25 The Clerk of the Court is directed to enter a final judgment in favor of Plaintiff, and  
26 against Defendant, reversing the final decision of the Commissioner.  
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1 IT IS SO ORDERED.

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3 Dated: July 30, 2021

/s/ Gary S. Austin  
UNITED STATES MAGISTRATE JUDGE

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